

Great Bentley Parish Council

RETENTION OF DOCUMENTS AND RECORDS MANAGEMENT POLICY

Legal Requirements

The Council is obliged to meet certain legal requirements for the retention and disposal of records. Each entry in the Records Retention Schedule references the specific legislation or guidance that stipulate or recommend how long records must be kept before they are disposed of. Where no such legislation or guidance exists, retention periods are based on common best practice. Systematic and timely records disposal in line with this schedule is fundamental to the Council's compliance with information access legislation:

The General Data Protection Regulation 2016 (GDPR)/Data Protection Act 2018

The Council will comply with the principles relating to the processing of personal data set out in the GDPR. We retain personal data only for as long as necessary for the purpose it is processed.

The Freedom of Information Act 2000 The Act requires us to make information available to the public unless specific exemption(s) apply.

The Code of Practice issued under 46 of the Act sets out rules on how we should manage records and information, including responsibilities on all staff to implement records retention and disposal schedules.

The Local Government Act 2000 S.22 requires that written records of a local authority executive, or a committee of such an executive are be made available to the public.

Practical Application of the Policy

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically.

A small percentage of the Parish Council's records will be selected for permanent preservation as part of the Council's archives and for historical research and these will be lodged with Essex County Council Records Office or the Local History Village Recorder (where one exists) and details of which documents have been forwarded to them retained on Council files indefinitely for future reference only.

The person with overall responsibility for this policy is the Proper Officer of the Council.

The Proper Officer must ensure that records for which they are responsible are accurate and are maintained and disposed of in accordance with the Parish Council's records management guidelines (detailed below) and that they take account of the council's Freedom of Information Publication Scheme.

The Proper Officer will give guidance for good records management practice and will promote compliance with GDPR and this

There are no firm guidelines for the retention of general correspondence in any format. However, a regular review of all documentation should be carried out by the Proper Officer which should be at least quarterly but can be more often, with ephemeral items marked for destruction and the remainder being considered for archiving as detailed above. This will be carried out at the discretion of the Proper Officer of the Council in accordance with current Standing Order 15 (xi and xvi)

The following list indicates appropriate retention periods and the reasons for retention and refers to all records

Retention of documents policy

regardless of the media in which they are stored:

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Meetings		
Minute Book	Indefinite – Minutes over 6 years old will be lodged with Essex Records office.	Archive
Meetings agendas	Last completed audit year	Audit
Co-option - signed ballot papers	Do not retain – destroy immediately after vote verified by Chairman	GDPR
Allotments		
Register of plans	Indefinite	Audit/Management
Allotment holders details	6 years from the end of the tenancy	Limitation Act
Finance and Payroll		
Scales of fees and charges	5 years	Management
Budget/Precept information	Indefinite – over 6 years will be lodged with Essex Records Office	Archive/Management
Receipt and payments ledger	Indefinite – over 6 years old will be lodged with Essex Records Office	Archive
Receipt books of all kinds	6 years	VAT
Bank statements including deposit and savings accounts	Last completed audit year	Audit
Bank paying in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	12 years	Statute of limitations
Paid invoices	6 years	VAT
Online Payment authorisation	Last completed audit year	Audit
VAT Records	6 years	VAT
Petty cash books	6 years	Tax VAT Statute of limitations
Time Sheets	2 years	Audit and Working Time Regulations
Wages books and payroll records	12 years	Superannuation
Insurance		
Insurance policies	While valid	Management
Insurance Schedules	40 years	Management
Certificate of Employer's Liability	40 years	Management
Insurance claims (and related paperwork)	6 years after claim completed (settlement or repudiation)	Limitation Act 1980
Vehicle Maintenance		
Maintenance, repair defect reporting MOT and tax	6 years after disposal of vehicle	Limitation Act
General Management		
Investments	Indefinite	Audit, Management
Title Deeds, leases, agreements, contracts	Indefinite	Audit Management
Procurement		
Unsuccessful tenders	1 year after contract award decision	Best Practice
Successful tenders	6 years after contract end	Limitation Act
Recreation grounds		
Equipment Inspection Records	25 years	Management
Risk Assessments	3 years from last assessment	Management
Planning		
Applications and Decisions Notices – all consultative documents including plans	Not retained	Held by Planning Authority
Miscellaneous		
Reports, newsletters etc. from other people or bodies	Destroy ASAP – Retain only as long as useful (Maybe archived at discretion of Proper Officer)	Management/Data protection
Routine correspondence, notes, papers and e-mails	Destroy ASAP – Retain only as long as useful (Maybe archived at discretion of Proper Officer)	Management/Data Protection

Formal Complaints	5 years after closure	Management
Customer enquiries and feedback	2 years after date created	Management/best practice/GDPR
List of archived records and place where held	Indefinite	Archive and Management
Members		
Declaration of Acceptance of Office	Term of Office plus 1 year	Management
Register of member's interests	Term of Office plus 1 year	Management
Members allowance register	6 years	Tax, Statute of Limitations
Personnel/Human Resources		
Application forms (not interviewed or interviewed and unsuccessful)	6 months	Management and Data Protection
Personal Files	6 years after ceasing employment	Management
Disciplinary records	Retain for period of employment	Management and Data Protection